

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO. PCT/US98/14341	INTERNATIONAL FILING DATE July 10, 1998	PRIORITY DATE CLAIMED July 11, 1997
TITLE OF INVENTION PSEUDOMONAS EXOTOXIN-A-LIKE CHIMERIC IMMUNOGENS		
APPLICANT(S) FOR DO/EO/US David J. Fitzgerald		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (R.O/US).
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A FIRST preliminary amendment.
- A SECOND or SUBSEQUENT preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information:  
Appointment of Associate Attorneys and Agents by Principal Attorney or Agent Under 37 CFR 1.34(b) and MPEP 402.02  
and  
Copy of Notice of Missing Requirements  
and  
Petition to Extend Time

U.S. APPLICATION NO. if known, see 37 CFR 1.51  
09/462,682

INTERNATIONAL APPLICATION NO  
PCT/US98/14341

ATTORNEY'S DOCKET NUMBER  
015280-310100US

17.  The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) ):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$18.00	\$
Independent claims	- 3 =		X \$78.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 130.00</b>
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$
<b>SUBTOTAL =</b>				<b>\$ 130.00</b>
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 130.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 130.00</b>
				Amount to be: \$
				refunded \$
				charged \$

a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. 20-1430 in the amount of \$ 130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Ellen Lauver Weber  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111

SIGNATURE:

John Storella

NAME

32,944

REGISTRATION NUMBER

41 Rec'd PCT/PTO 28 APR 2000  
101 Rec'd PCT/PTO 28 APR 2000  
09/462682

EXPRESS MAIL NO. EL394871625US

DATE OF DEPOSIT: April 28, 2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box PCT, Assistant Commissioner of Patents, Washington, D. C. 20231.

By: Diane Damonte  
Diane Damonte

U.S. Application No. 09/462,682  
Attorney Docket No. 015280-310100US

**Enclosures:**

Form PTO-1390 (in triplicate) w/ fee authorization;  
Petition to Extend Time (in triplicate) w/ fee authorization;  
executed Declaration and Power of Attorney;  
Appointment of Associate Attorneys and Agents by Principal Attorney or Agent  
Under 37 CFR 1.34(b) and MPEP 402.02;  
Information Disclosure Statement; Form PTO-1449; references;  
Copy of Notice of Missing Requirements;  
return postcard